

CHAPTER 6-000 FAMILY CHILD CARE HOME PROVIDER REQUIREMENTS

6-001 Provider: The child care provider must be at least 19 years of age.

The child care provider shall provide a valid Social Security number as verification of citizenship or lawful resident status in the United States.

The child care provider must understand and be familiar with the rules for Family Child Care Homes.

The child care provider shall pay an initial license fee and annually thereafter.

Parents shall have access to their children at all times that children are in care.

1. The child care provider shall permit announced and unannounced visits by agency representatives during the hours of operation.
2. Denial of immediate and unrestricted access to the premises to agency representatives will be basis for suspension or revocation of the license.
3. Denial of immediate and unrestricted access to the licensed premises to parents will be basis for suspension or revocation of the license.

The child care provider shall assume responsibility for providing adequate and appropriate supervision at all times children are in attendance. Any designated substitute shall have the same responsibility for providing adequate and appropriate supervision. Ultimate responsibility for supervision will be with the child care provider.

Alcohol or controlled substances as defined in Nebraska Revised Statutes, Section 28-401 through 403 and 28-439, will not be consumed in any area of the home designated for child care during the hours of operation. The provider and/or designated substitute shall not consume or be under the influence of alcohol or controlled substances while providing care. Controlled substances will not be in any area of the child care program.

The current license will be prominently posted so that it is clearly visible to parents and others.

The child care provider shall ensure that the maximum number of children stated on the license is not exceeded at any time.

The child care provider shall not engage in any other employment which interferes with the care of children.

A "Children's Record" will be completed before enrollment, and kept current for each child in care.

The child care provider shall give parents placing a child(ren) in the Family Child Care Home a Department Parent Handbook and shall retain the receipts on the premises. The receipts will be available for review upon request.

The child care provider shall report the following changes to the Nebraska Department of Health and Human Services: address, household composition, children residing in the home, and days and hours of care.

The child care provider shall report to the Nebraska Department of Health and Human Services within 24 hours or next business day when the following conditions occur within the child care program: the death of any child; any accident to children which requires hospitalization; or treatment at a medical facility.

The child care provider who has reason to believe child abuse or neglect may be occurring in the family child care home, in the child's home, or elsewhere, shall immediately file a report with the Child Abuse-Neglect Hotline - 1-800-652-1999, and/or appropriate local law enforcement agency.

6-002 Health Examinations: The child care provider shall submit a completed "Health Information Report," or a report containing all information required in the Health Information Report current within six months, as part of their initial license application. The child care provider shall have a health information report completed every two years after initial licensure and retain on the premises. The Health Information Report, Part B, will be completed by a medical practitioner.

6-003 Substitutes and Household Members: When child care is being provided in the residence of the provider, the child care provider shall notify the Department by completing an application, when there is a change in household members residing in the home.

Substitute providers must be at least 16 years of age.

The child care provider shall submit the names of regularly identified substitute(s) on the application or an amendment to the application.

All regulations regarding background checks will apply to regularly identified substitute(s).

Except in emergency situations, the child care provider shall inform parents in advance of the planned use of a substitute provider.

All Family Child Care Home regulations regarding supervision and care of children will apply to substitute(s).

6-004 Background Checks: When child care services are being provided in the provider's residence, the child care provider shall submit -

1. A completed application including the names of all persons residing in the home. Those persons age 13 and older must be cleared against the Nebraska Child Abuse and Neglect Central Registry AND Nebraska Adult Protective Services Central Registry (age 18).
2. Felony/misdemeanor statements for all household members age 19 and over, including any crimes for which a juvenile has been adjudicated as an adult.
3. A completed application and felony/misdemeanor statement when there is a change in household members residing in the home within ten days of the change.

6-004.01 Felony/Misdemeanor Statement: Before the issuance of a license, the child care provider shall submit a "Felony/Misdemeanor Statement," signed and dated by all household members age 19 and older, which includes the following information:

1. Felony and/or misdemeanor arrests related to crimes against children;
2. Misdemeanor tickets, other than traffic violations;
3. Felony and/or misdemeanor convictions;
4. Any pending criminal charge(s);
5. Current parole or probation status.

This statement will include all law enforcement contacts, regardless of prosecution.

The child care provider and/or household members shall not engage in or have a history of behavior injurious to or which may endanger the health or morals of children.

6-004.02 Registry Checks: The names of child care providers, substitutes, and all household members age 13 and older must be checked against the Nebraska Child Abuse and Neglect Central Registry AND the Nebraska Adult Protective Services Central Registry (age 18 and older).

When child care is being provided in the residence of the provider, any household members age 13 and older appearing as a perpetrator of physical abuse/neglect on the Nebraska Child Abuse and Neglect Central Registry and/or Nebraska Adult Protective Services Central Registry and/or adjudication in adult or juvenile court shall not be on the premises during the hours of operation.

6-004.03 Report of Law Enforcement Record: The child care provider is responsible for reporting any arrests, misdemeanor tickets other than traffic violations, pending criminal charges, and/or any felony/misdemeanor convictions on themselves, substitutes, secondary providers and/or household members when care is provided in the place of residence.

6-005 Child Care Provider Training

6-005.01 Pre-Service Training: Before the issuance of a provisional license, the provider shall complete training in the following areas:

1. Orientation to Child Care Licensure, 1 Hr. provided by the Department. This does not apply to the secondary provider of a Family Child Care Home II;
2. Cardiopulmonary Resuscitation (CPR); and
3. First Aid.

6-005.02 Provisional Year Training: A child care provider shall obtain a minimum of 12 hours of training. Two hours of CPR and one hour of first aid will be counted in the year that each is taken toward the required training. Training hours obtained in the calendar year prior to provisional licensure will be counted if the training taken includes topic areas listed in 391 NAC 6-005.03.

Written documentation of ALL training will be maintained on the Family Child Care Home premises and available for review upon request.

6-005.03 Annual In-Service Training: Child care providers shall obtain a minimum of 12 clock hours of in-service training annually. Secondary providers who work 20 hours or less will be required to complete six hours of training.

Child care providers licensed before implementation of these regulations shall meet the following requirements:

- Calendar Year 1995 - 6 clock hours of In-Service Training *
- Calendar Year 1996 - 8 clock hours of In-Service Training *
- Calendar Year 1997 - 10 clock hours of In-Service Training *
- Calendar Year 1998 - 12 clock hours of In-Service Training *

* Secondary providers who work 20 hours or less will be required to complete half of the clock hours listed.

Written documentation of annual in-service training will be maintained on the Family Child Care Home premises and available for review upon request.

In-service training will include but is not limited to the following topic areas:

1. Safe Environment
2. Healthy Environment
3. Learning Environment
4. Physical Development
5. Cognitive Learning
6. Communication
7. Creative Learning

8. Self-Esteem
9. Social Development
10. Guidance
11. Family Relationships
12. Program Management
13. Professionalism

6-005.04 Cardiopulmonary Resuscitation (CPR) and First Aid Training: The child care provider shall complete certified Cardiopulmonary Resuscitation (CPR) and First Aid training:

1. Cardiopulmonary Resuscitation (CPR) Training will be certified through one of the following: American Heart Association; American Red Cross; National Safety Council; or Emergency Medical Planning America (Medic First Aid).
2. The child care provider shall maintain current CPR and First Aid certification as long as the provider is licensed.
3. The CPR card and First Aid certificate will be available for review upon request.
4. Two hours of CPR and one hour of first aid will be counted in the year that each is taken toward the required in-service training.

The effective dates of the CPR training will be determined by the certified instruction program. The effective dates of the First Aid training will be determined by the instruction program. If dates are not indicated on the First Aid certificate, the training will be considered valid for three years.

6-006 License Capacity and Child/Staff Ratio: Child/staff ratio and license capacity includes the provider's own children below age eight.

6-006.01 License Capacity

1. The maximum license capacity for a Family Child Care Home I is 8 children. A Family Child Care Home I provider may be approved to serve no more than two additional school-age children during non-school hours.
2. The maximum license capacity for a Family Child Care Home II is 12 children.
3. The maximum license capacity will be determined by Department staff based on actual available space in the home and the number authorized by the State Fire Marshal.

6-006.02 Child/Staff Ratio: The child care provider shall maintain compliance with the child/staff ratios as indicated below.

The following chart describes child/staff ratio for Family Child Care Homes:

RATIO/CAPACITY FOR FAMILY CHILD CARE HOMES

<u>Age Groups and # of Children</u>	<u>Family Child Care Home I</u>	<u>Family Child Care Home II</u>
	Number of Providers Required:	Number of Providers Required:
INFANT ONLY:		
4	1	1
5-8	2	2
9-12	N/A	3
MIXED AGE:		
8	1	1
9-10	1*	1*
9-12	N/A	2
SCHOOL-AGE ONLY:		
9-10	1	1
11-12	N/A	1**

Infant Only: Family Child Care Home I and II providers serving infants only may exclude their own school age children in the ratio/capacity.

Mixed Age: Family Child Care Home I and II providers serving mixed ages may provide care for no more than three infants (under 18 months) per adult as long as no more than two infants per adult are under 12 months of age. In the event of multiple births, an alternative compliance may be considered.

*Family Child Care Home I and II providers serving mixed ages may provide care for no more than two additional school-age children during non-school hours as long as no more than two children are under 18 months of age.

School-Age: **Family Child Care Home II providers may care for up to 12 school-age children, however, their own children under age 8 must be counted in the child/staff ratio.

6-007 Facility

6-007.01 Overall: The child care provider shall ensure that at least 35 square feet of indoor space per child (excluding areas not designated for child care) is available.

The child care provider shall ensure that at least 50 square feet of outdoor play space per child is available.

The child care provider shall ensure that all cleaning agents and poisons are kept in locked storage.

The child care provider shall ensure that all rooms used for child care are clean and dry.

The child care provider shall ensure that all floors, walls, ceilings, and furniture are clean and in good repair.

The facility must be free of exposed lead-based paint surfaces which are flaking, peeling, or chipped. When lead-based paint is determined to be present in a condition listed above, a referral will be made to the Nebraska Department of Health and Human Services or local health authority for consultation on proper abatement procedures. Failure to take appropriate action to abate the lead-based paint within a reasonable time, not to exceed six months, will result in the initiation of revocation/suspension action.

The child care provider shall ensure that an operable telephone is available on the premises of the child care facility. Emergency phone numbers, including fire, rescue, police (or 911 or local equivalent), and Poison Control, will be prominently posted.

The child care provider shall ensure that play materials, equipment, and furnishings are easily cleanable, kept clean and in good repair, have no sharp edges, and have no rusty or loose parts.

The child care provider shall ensure that toys and objects with a diameter of less than one inch or less than one and one-half inches in length are used only under provider supervision with children who are below three years of age.

The child care provider shall ensure that buildings that are used for child care are constructed to prevent rodents from entering.

The child care provider shall ensure that doors opening to the outside are self-closing (except for sliding doors), and all windows used for ventilation are screened.

The child care provider shall ensure that heating, ventilating, and lighting facilities are adequate for the protection of the health of children.

The child care provider shall ensure that electrical outlets within the reach of children are covered with safety caps, ground fault interrupters, or have safety outlets installed.

Tornado drills will be practiced with the children a minimum of four times per year from March through September. A written tornado safety plan and documentation of drills will be available for review upon request.

All garbage and refuse will be collected, stored, and disposed of in a manner which will not attract rodents or insects.

The grounds will be kept neat and clean and free from rodents and accident hazards.

Accident hazards, such as flammable materials, deep pools, farm and lawn equipment, will be inaccessible. Potential accident hazards such as uncovered wells, broken glass, boards containing nails, and other debris will be eliminated.

Barnyard animals and/or fowl will not be allowed in the outdoor play area.

Smoking will be prohibited in all areas of the home designated for child care during the hours of operation.

The child care provider shall inform parents of all enrolled children if any household member, including the provider, smokes in the home. This information will be provided to parents before accepting a child into care.

6-007.02 Bathrooms: The child care provider shall ensure that a toilet which is conveniently located, clean, and in good repair is available to the children.

The child care provider shall ensure that a sink with hot and cold running water and soap is available.

The child care provider shall ensure that sinks and toilets are of a suitable height for children, or a safe stepstool or platform is provided.

6-007.03 Water Supply: The child care provider shall ensure that no common drinking container is used. Drinking water must be provided by sanitary drinking fountains, or individual or disposable cups.

The child care provider shall ensure that the water temperature of the bathroom sink is at least 100 degrees Fahrenheit, but no greater than 120 degrees Fahrenheit.

The child care provider shall ensure that drinking water from a private water supply system meets current standards set by the Nebraska Department of Health and Human Services Regulation and Licensure as they may be amended from time to time. Water sample test verification will be submitted annually.

The child care provider shall ensure that there is no open sewage discharge on the child care premises. When the Department determines that there may be open sewage present on the child care premises, a referral will be made to the Nebraska Department of Environmental Quality for an inspection.

6-007.04 Personal Care Items: Common use of grooming items will be prohibited.

The child care provider shall ensure that individual towels and washcloths and facilities for their storage are available. Common use of towels and washcloths is prohibited.

The child care provider shall ensure that waterproof storage is provided for storing soiled and/or wet clothing.

6-007.05 Water Safety: The child care provider shall ensure that above-ground and in-ground swimming pools are enclosed with a fence that is at least 4 feet high and the fence flush with the ground.

The child care provider shall ensure that above-ground pools will have non-climbable side walls that are 4 foot high or will be enclosed with an approved fence as described above.

The child care provider shall ensure that when above-ground and in-ground pools are covered, this cover will meet or exceed the standards of the American Society for Testing and Materials.

If children are allowed to use above-ground or in-ground swimming pools, the following conditions will be met:

1. Written permission from parents will be available for review.
2. Equipment needed to rescue a child or adult will be readily accessible.
3. The child care provider shall comply with all Nebraska Department of Health and Human Services Regulation and Licensure requirements regarding swimming pools.

The child care provider shall accompany and directly supervise the children during swimming and wading activities.

The following ratios will be maintained with the use of above-ground or in-ground pools on the child care premises:

	<u>Children</u>	<u>Provider/Secondary Provider</u>
Infants	1	1
Toddlers	2	1
Preschoolers	4	1
School-age	6	1

If the depth of the water is over four feet, a person who has satisfactorily completed an approved life-saving course must be on duty at all times the pool is in use.

Wading pools must be drained daily and inaccessible to children when not in use.

6-007.05A Prohibited Water Sources: The child care provider shall not allow children to use -

1. Natural bodies of water;
2. Hot tubs, spas, or saunas; and/or
3. Livestock tanks.

6-007.06 Animals: If there are animals on the premises, the child care provider shall ensure that -

1. All household pets will be vaccinated. Proof of current vaccination as documented by a veterinary clinic will be kept on the child care premises.
2. All animal waste will be immediately removed from children's areas and properly disposed of.

The child care provider shall ensure that no animals are allowed in the food preparation, food storage, and serving areas during food preparation and serving times.

The child care provider shall ensure that animals which have bitten or attacked a person without provocation are not allowed on the child care premises.

The child care provider shall ensure that exotic or unusual animals are not on the child care premises during the hours of care.

6-007.07 Weapons: The child care provider shall ensure that firearms, other potentially hazardous weapons, weapon accessories, and ammunition are kept in locked storage. Firearms will be unloaded and ammunition will be stored separately from firearms.

6-007.08 Fences: If there are unsafe areas such as drainage ditches, wells, holes, heavy machinery, railroad tracks, bodies of water, heavy street traffic, or other hazards in or near the outdoor play area, a fence is required.

The child care provider must accompany and supervise children under age four in play areas not requiring a fence. Children age four and older must be supervised at all times.

The child care provider shall accompany and supervise children under age two in fenced play areas. Children age two and older must be supervised at all times in the fenced play area.

6-008 Fire Safety: Fire Safety rules are contained in regulations adopted by the State Fire Marshal, specifically, the National Fire Protection Association's Life Safety Code. Local fire regulations may be more restrictive. Fire code requirements differ depending on the number of children cared for. The following is a description of these regulations:

The child care provider shall ensure that a Fire Safety approval is maintained for the child care facility for the license to be effective.

There will be at least two unblocked exits approved by the State Fire Marshal from every floor on which child care is provided.

Furnaces, fireplaces, wood-burning stoves and other heaters will be inaccessible to children when in use.

All storage areas will be free of excessive combustibles or highly flammable materials.

Bathroom and closet doors will be designed so they can be unlocked from the outside.

Fire drills will be practiced with the children a minimum of six times per year in alternating months. A written evacuation plan and documentation of drills will be available for review upon request.

Operating, properly mounted smoke detection equipment will be required in child care areas. Smoke detection equipment will be U.L. (Underwriters Laboratories) listed or bear the approval of another major testing laboratory such as Factory Mutual.

By the authority found in Nebraska Revised Statutes, Section 81-502, the Fire Marshal has the power to ask for additional requirements for specially constructed facilities. In accordance with Nebraska Revised Statutes, Section 81-505.01, the Nebraska State Fire Marshal will charge an inspection fee for State Licensure Inspections in health care, liquor, mobile trailer courts, and child care facilities. The State Fire Marshal may be contacted for the fee schedule: (402) 471-2027.

6-009 Child Health

6-009.01 First Aid Kit: The child care provider shall have a first aid kit, including the following supplies: tweezers, fever thermometer, soap, band-aids, gauze, tape, scissors, and disposable latex gloves. These supplies will be inaccessible to children.

6-009.02 Medications

6-009.02A Delivery of Medication: Any child care provider or secondary provider or substitute who gives or applies medication shall do so in accordance with the "5 Rights" as required in Nebraska Statutes 71-6718 through 6742. These are:

1. The right drug;
2. The right recipient;
3. In the right dose;
4. By the right route;
5. At the right time.

6-009.02B Parental Responsibility: Parents or any licensed health care professional shall determine if child care providers or secondary providers are competent to give or apply medication.

6-009.02C Confidentiality: Any child care provider who gives or applies medication shall not disclose information about a child's medication unless such information is needed to protect the health of other children or staff.

6-009.02C1 The use of a posted medication sign in sheet does not violate 6-009.02C if the child care provider has advised the parent in writing that the parent has the option of using a private method of informing the child care provider of the child's medication needs.

6-009.02D Written Permission and Instructions: All child care providers shall give or apply medication both prescription and non-prescription, only with prior written permission and written instructions from a parent. Child care providers shall comply with the instructions provided by the parent. Medication shall be in the original container, stored according to instructions, clearly labeled for a named child, and returned to the parent when no longer needed. The dosage will not exceed that which is printed on the label. Expired medication shall not be given or applied to a child and shall be returned to the parent.

6-009.02D1 Report to Parents: Any error in the giving or applying of medication shall be reported to the parent.

6-009.02E Unusual Circumstances: There must be a written statement from the licensed health care professional who prescribed the medication allowing the provider to give the medication when:

1. Any prescription medication is given or applied as needed (PRN); or
2. By a route other than oral, topical, inhalant, or instillation.

6-009.02F Handwashing: All child care providers shall wash hands before giving or applying any medication. If handling any bodily fluids are involved, caregivers must also wash hands after giving or applying that medication.

6-009.02G Storage: The child care provider shall ensure that all prescription and over the counter medications will be kept in locked storage. Separate locked storage will be provided for medications requiring refrigeration.

Over-the-counter lip balm, petroleum jelly, suntan lotion and diaper ointment will be kept out of reach of children.

6-009.02H Recordkeeping: The child care provider shall maintain a record as to the time and amount of medication given or applied.

6-009.03 Outbreak of Communicable Diseases: The child care provider shall notify parents of all enrolled children of a case of any communicable disease on list "A" on the same day the provider is informed of or observes the illness. (See Compliance Guide for list "A" of communicable diseases.) Proper notification of parents will include:

1. Notification to parents of children in attendance.
2. Phone notification to parents of enrolled children who are not in attendance on that day.
3. Posting notice of the outbreak in a conspicuous place.

The child care provider shall notify the local health authority by phone of a case of the communicable diseases on list "B" on the same day the provider is informed of or observes the illness. (See Compliance Guide for list "B" of serious communicable diseases.) The child care provider shall maintain a record of the date and time of all such notifications which will be available for review upon request.

6-009.04 Isolation of Children Who are Ill: In the case of more severe illness, the child care provider shall -

1. Separate the child from other children;
2. Properly attend to the child's needs until arrangements are made for return to the child's home.

6-009.05 Immunizations: The child care provider shall maintain copies of children's immunization records. These copies will be available for review upon request.

The child care provider shall comply with all Nebraska Department of Health and Human Services requirements regarding immunization status of all enrolled children.

6-010 Food Preparation and Serving

6-010.01 Food Preparation Area: The child care provider shall ensure that all food preparation, serving, and storage areas, equipment, and utensils are easily cleanable and in good repair.

The child care provider shall ensure that dishes and utensils will be properly cleaned, rinsed, sanitized, and air-dried.

The child care provider shall ensure that all perishable foods are stored in a covered container in an operating refrigerator with a maximum temperature of 40 degrees.

The child care provider shall ensure that deep freezers which cannot be opened from the inside are locked or stored in a locked room.

The child care provider shall ensure that no home-canned foods are served to children in care.

The child care provider shall ensure that only pasteurized grade A milk and milk products are served to children. Dry milk and milk products must be made from pasteurized milk and milk products.

6-010.02 Meals and Snacks: The child care provider shall serve at least the following number of meals and snacks when children are present:

1. 2 1/2 to 4 hours - one snack;
2. 4 to 8 hours - one snack and one meal;
3. 8 to 10 hours - two snacks and one meal; and
4. 10 or more hours - two snacks and two meals.

Each meal served will include servings from each of the food components (fluid milk; meat or meat alternates; vegetables and/or fruits; and bread or bread alternates). (Breakfast does not need to include a meat or meat alternative.)

Each snack served will include a serving from two of the previously listed food groups.

The child care provider shall wash all fresh or raw fruits and vegetables thoroughly with water before use.

The child care provider shall provide weekly menus to parents upon request.

6-011 Daily Activities

6-011.01 Indoor/Outdoor Play: The child care provider shall have knowledge of where each child in care is at all times.

Enough age-appropriate play materials will be available so that, at any one time, each child can play individually.

The child care provider shall obtain written permission from parents to allow schoolage children to engage in activities outside the child care home without direct provider supervision.

6-011.02 Naps and Rest Periods: A regular rest period will be made available for children as agreed upon between parent and child care provider.

The child care provider shall have clean beds, cribs, mats, washable sleeping bags, sofas, or cots for napping for each child over 12 months of age. The top level of bunk beds will not be used for children below 5 years of age. Futons will not be used for infants under 13 months of age; where allowed, futons will conform to the definition in the Compliance Guide. Waterbeds will not be used for children under 36 months of age.

6-011.03 Discipline: The child care provider and/or his/her designated substitute is prohibited from using the following as a means of punishment:

1. Spanking, slapping, punching, shaking, striking with any inanimate object, handling roughly, or biting;
2. Denying food or forced napping;
3. Subjection to derogatory remarks about themselves or their family, abusive or profane language, yelling or screaming, or threats of physical punishment.

The child care provider shall not punish any child for toilet training accidents or refusal for taking medication.

While children are in care and when parents are not present, the responsibility for discipline lies **ONLY** with the child care provider or designated substitute.

6-011.04 Diapering and Toileting: The child care provider shall change children's diapers when needed.

The child care provider shall use individual washcloths, towels, or disposable towelettes to cleanse children during diapering.

The child care provider shall wash his/her hands thoroughly with soap and water after changing the diaper of each child and after helping children toilet.

The child care provider shall ensure that soiled diapers are properly disposed of and/or stored in airtight containers.

Potty chairs must not be used or stored in eating and playing areas.

When toilet training is conducted in the child care home, toilet training must be carried out in a manner agreed upon by the child care provider and parent.

6-012 Infant Care: In addition to complying with all other rules, a child care provider who provides care for any infant shall comply with the following rules:

The child care provider shall meet the emotional and physical needs of infants consistently and promptly. This includes:

1. Talking to, playing with, holding, and rocking infants, and providing them with the opportunity to explore outside of their cribs and/or playpens.
2. Immediately investigating the cries of infants.

The child care provider shall feed infants according to a plan agreed upon by the parent(s) and the provider.

The child care provider shall ensure that prepared formula is labeled with the appropriate child's name and stored in the refrigerator. Unused (prepared) formula will be discarded after 48 hours.

The child care provider shall hold infants under six months of age and those not yet able to hold their own bottles during bottle feeding.

The child care provider shall not prop bottles and shall remove bottles from sleeping infants.

Infants who are capable of feeding themselves, but cannot sit in child-sized chairs at child-sized tables, must be seated in high chairs with three point safety straps.

The child care provider shall ensure that only federally approved cribs and/or playpens are used for infants.

1. Drop-side latches will securely hold sides in the raised position.
2. Infants must not be left unattended in cribs with the drop-side lowered.
3. Bumper pads will be provided for each crib in which a child under six months sleeps.

Cots, waterbeds, pillows, mats, futons, or cushions will not be used for infants under 13 months of age.

6-013 Transportation: When transporting children in care, the child care provider shall comply with the following requirements:

The child care provider shall possess a current and valid driver's license as verified by the Nebraska Department of Motor Vehicles. In lieu of the child care provider, the person providing transportation shall possess a current and valid driver's license.

The child care provider shall obtain parent's written permission to transport children.

The child care provider shall maintain the adult-child ratio when transporting children.

The child care provider shall not exceed the seating capacity of the vehicle, as indicated by the vehicle manufacturer.

The child care provider shall ensure that all doors are locked when the vehicle is in motion.

The child care provider shall use an age appropriate and individual safety restraint for each child transported. Failure to properly restrain may result in revocation.

1. Nebraska law requires that all children under four years of age OR under forty pounds be correctly secured in a federally approved child safety seat.
2. All children ages four and above OR children weighing forty pounds or more must be secured in a safety belt or federally-approved child safety seat restraints.
3. Restraints are not required for children transported by public transportation or school bus.

6-014 Overnight Care: In addition to the other regulations, child care providers who offer overnight care shall comply with the following rules.

The child care provider shall provide clean cots or beds for each child over twelve months of age, fitted with a firm, waterproof mattress. The top level of bunk beds may not be used for children below five years of age.

Infants under 13 months of age shall sleep only on federally approved cribs and/or playpens. Cots, pillows, mats, futons, or cushions will not be used for infants under 13 months of age. Waterbeds will not be used for children under 36 months of age.

The child care provider shall be awake and alert to the needs of children until all children are asleep.

The child care provider shall sleep within hearing distance of the sleeping children.

Operating, properly mounted, smoke detection equipment will be available on all floors wherein children sleep. Wired smoke detection equipment will be U.L. (Underwriters Laboratories) approved.

The child care provider may give each child a shower, tub, or sponge bath in a manner agreed upon between the parent and the provider.